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HIGH COURT OF CHHATTISGARH: BILASPUR

Writ Petition(c) No. 3357 of 2007

Petitioner Yogesh Kumar Raghatate S/o. Gulab Rao Raghatate Aged about – 30 years, R/o.-Hirapur Colony, Raipur, Distt.-Raipur (C.G.)

Versus

Respondents

1. Smt. Smita Raghatate W/o Yogesh Kumar Raghatate, aged about – 26 years, D/o.-Shri Shyamrao Rokde
2. Ku. Yashika D/o Yogesh Kumar Raghatate, aged about-1& half years, Minor Guardian through:- mother Smt. Smita Raghatate,

Both R/o Indir Nagar, Charoda, P.S.-Bhilai-3, Distt.-Durg (C.G.)

(Writ Petition under Article 226/227 of the Constitution of India)

SB: Hon'ble Mr. Justice Satish K. Agnihotri

Present: Shri Dheerendra Pandey, counsel for the petitioner.

ORAL ORDER
(Passed on 19th June, 2007)

By this petition the petitioner impugns the interim order dated 20.12.2006 passed by the Principal Judge, Family Court, Durg in an application filed under Section 125 of the Criminal Procedure Code in M.J.C. No. 85 of 2007. The main ground taken by the petitioner is that the petitioner has other liabilities i.e. looking after and maintaining his parents and the amount awarded is excessive.

(2) Learned counsel appearing for the petitioner submits that the monthly income of the petitioner is Rs.3500/- out of that Rs.1000/- has been granted to the respondent No.1 wife and Rs.500/- to the respondent No.2 minor daughter of the petitioner and respondent No.1.

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(3) In the opinion of this Court, granting Rs.1500/- in total, as interim maintenance, is just and proper as admittedly the income of the petitioner is Rs.3500/- per month,

(4) In view of the foregoing, there is no merit in this case. The petition is accordingly dismissed, summarily.

Sd/-
Satish K. Agnihotri
Judge

Karuna